

1 DAVID SEROR – Bar No. 67488
2 JESSICA WELLINGTON – Bar No. 324477
3 BG LAW LLP
4 21650 Oxnard Street, Suite 500
5 Woodland Hills, CA 91367
Telephone: (818) 827-9000
Facsimile: (818) 827-9099
Email: dseror@bg.law
jwellington@bg.law

6 Counsel for Court-Appointed
Receiver, Theodore Lanes

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION**

In re Case No. 2:21-bk-18205-DS
CRESTLLOYD, LLC, Chapter 11
Debtor STIPULATION FOR LI

**STIPULATION FOR LIMITED RELIEF
FROM THE AUTOMATIC STAY**

[No Hearing Required]

21 Theodore Lanes, the state court-appointed receiver (the “Receiver”), the Receiver’s counsel,
22 BG Law LLP f/k/a Brutzkus Gubner Rosansky Seror Weber LLP (“BG”), and Crestlloyd, LLC, the
23 chapter 11 debtor and debtor in possession (the “Debtor,”) and together with the Receiver, and BG,
24 the “Parties”), hereby stipulate and agree as follows:

RECITALS

26 A. On October 26, 2021 (the “Petition Date”), the Debtor commenced this bankruptcy
27 case by filing a voluntary petition under Chapter 11 of Title 11 of the United States Code (the
28 “Bankruptcy Code”).

1 B. As identified in its schedules and statement of financial affairs, the Debtor's primary
2 asset was real property located at 944 Airole Way, Los Angeles, California 90077 (the "Airole
3 Property").

4 C. Prior to the Petition Date, Hankey Capital, LLC ("Hankey") provided certain debt
5 financing to the Debtor for the Debtor's construction of improvements on the Airole Property (the
6 "Loan").

7 D. Prior to the Petition Date, Hankey asserted a default by the Debtor under the Loan
8 with respect to the obligation due and owing to Hankey, and on June 24, 2021, commenced a state
9 court proceeding against the Debtor for judicial foreclosure of deed of trust and specific
10 performance, commencing the case titled *Hankey Capital, LLC. v. Crestlloyd, LLC*, Case No.
11 21SMCV01113, pending in the Superior Court of California, County of Los Angeles, West District
12 (the "State Court Action").

13 E. On July 1, 2021, in the State Court Action, Hankey filed an *Ex Parte* Application
14 seeking an order appointing a receiver, issuing a temporary restraining order, and issuing an order to
15 show cause why the receiver should not be confirmed *pendente lite* and why a preliminary injunction
16 should not be granted in the State Court Action. On July 2, 2021, the state court entered its Order
17 for Appointment of Receiver and other related relief (the "Receivership Order"), appointing the
18 Receiver as the court-appointed receiver.

19 F. Pursuant to the Receivership Order, the Receiver was appointed as the receiver over
20 and for the Airole Property.

21 G. On July 23, 2021, the state court entered its Amended (1) Order Confirming
22 Appointment of Receiver *Pendente Lite*; and (2) Preliminary Injunction in Aid of Receiver.

23 H. During the pendency of the State Court Action, Hankey scheduled a trustee's non-
24 judicial foreclosure sale of the Airole Property for October 27, 2021. However, the foreclosure sale
25 was stayed by the Debtor's bankruptcy filing.

26 I. On or around November 1, 2021, Hankey filed a *Notice of Stay of Proceedings* in the
27 State Court Action based on the Debtor's bankruptcy filing. Accordingly, the State Court Action is
28 currently stayed.

1 J. On February 9, 2022, this Court entered its Order Granting Motion Of
2 Theodore Lanes, Court-Appointed Receiver, And Brutzkus Gubner Rosansky Seror Weber LLP For
3 Entry Of Orders Allowing And Directing Immediate Payment Of Administrative Expense Claims
4 Pursuant To 11 U.S.C. §§ 543(c), 503(b)(3)(E), and 503(b)(4) (the “Receiver Claim Order”) [Doc.
5 126], pursuant to which, inter alia, (1) this Court allowed administrative priority claims in favor of
6 the Receiver and BG (the “Admin Claims”) and (2) this Court ordered that upon payment of the
7 Admin Claims, the Receiver and BG would not hold any further claims against the Debtor or its
8 bankruptcy estate.

9 K. The Admin Claims were paid in full. Therefore, the Receiver and BG do not hold
10 any further claims against the Debtor or its bankruptcy estate.

L. On March 28, 2022, this Court approved a sale of the Airole Property [Doc. 247].

12 M. As the Airole Property has been sold, the Receiver believes that he has discharged all
13 his obligations as receiver, such that he should be discharged by the state court as the court-
14 appointed receiver.

15 N. The Receiver intends to file, on an expedited basis, a motion for approval of the
16 Receiver's final account and report, for approval of fees and costs already paid to the Receiver and
17 his professionals and for discharge of the Receiver (the "Anticipated Motion"). The Anticipated
18 Motion does not include a request for any further payments from the receivership estate and,
19 consistent with the Receiver Claim Order, shall not include a request for any further payments from
20 the Debtor or its bankruptcy estate.

21 O. In light of the fact that the State Court Action is stayed, it is likely the state court will
22 require a relief from stay order for the Receiver to bring his Anticipated Motion. Therefore, the
23 Parties have agreed to stipulate to limited relief from the automatic stay.

P. By and through this stipulation, the Parties stipulate and agree that the automatic stay shall be lifted for the limited purpose of allowing the Receiver to bring the Anticipated Motion in the State Court Action, and for the Debtor to assert any responses thereto. No arguments are waived by entry into this stipulation, and the Parties reserve all rights.

STIPULATION

NOW, THEREFORE, the Parties hereby stipulate and agree, subject to Court approval:

1. The foregoing recitals are incorporated herein by reference;
 2. The automatic stay shall be lifted in this bankruptcy case on a limited basis to allow
ceiver to bring the Anticipated Motion in the State Court Action, for the Debtor to assert any
ses thereto, and for the court in the State Court Action to issue a final ruling on the motion;
 3. The automatic stay shall remain in effect for all other purposes in the State Court
;
 4. To the extent not already turned over to the Debtor, within seven (7) days of the entry
order approving this Stipulation, the Receiver shall turn over to the Debtor all books and
s, including, but not limited to, any and all investigations, reports, discovery and responses
related to the Airole Property and the Debtor; and
 5. This Court shall retain jurisdiction to further modify the automatic stay as appropriate
nt to further stipulations or requests by the Parties.

IT IS SO STIPULATED.

DATED: June 27, 2022

BG LAW LLP

By: /s/ Jessica S. Wellington
David Seror
Jessica S. Wellington
On its Own Behalf and as Counsel for Court-
Appointed Receiver, Theodore Lanes

DATED:

LEVENE, NEALE, BENDER, YOO & GOLUBCHIK
L.L.P.

Jill M. Amstad

By: _____

David B. Golubchik
Todd M. Arnold

Counsel for Crestlloyd, LLC, the chapter 11 debtor
and debtor in possession

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
21650 Oxnard Street, Suite 500, Woodland Hills, California 91367

A true and correct copy of the foregoing document entitled: **STIPULATION FOR LIMITED RELIEF FROM THE AUTOMATIC STAY** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **June 27, 2022**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On **June 27, 2022**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

****JUDGE'S COPY IS SUSPENDED IF LESS THAN 25 PAGES (GENERAL ORDER 21-05).**

Honorable Deborah J. Saltzman
United States Bankruptcy Court
Central District of California
Edward R. Roybal Federal Building and Courthouse
255 E. Temple Street, Suite 1634 / Courtroom 1639
Los Angeles, CA 90012

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

June 27, 2022
Date

JESSICA STUDLEY
Printed Name

/s/ Jessica Studley
Signature

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

- **Kyra E Andrassy** kandrassy@swelawfirm.com,
lgarrett@swelawfirm.com;gcruz@swelawfirm.com;jchung@swelawfirm.com
- **Todd M Arnold** tma@lnbyg.com
- **Jerrold L Bregman** jbregman@bg.law, ecf@bg.law
- **Marguerite Lee DeVoll** mdevoll@watttieder.com, zabrams@watttieder.com
- **Karol K Denniston** karol.denniston@squirepb.com,
travis.mcroberts@squirepb.com;sarah.conley@squirepb.com;karol-k-denniston-9025@ecf.pacerpro.com
- **Oscar Estrada** oestrada@ttc.lacounty.gov
- **Danielle R Gabai** dgabai@danninggill.com, dgabai@ecf.courtdrive.com
- **Thomas M Geher** tmg@jmbm.com, bt@jmbm.com;fc3@jmbm.com;tmg@ecf.inforuptcy.com
- **David B Golubchik** dbg@lnbyg.com, stephanie@lnbyb.com
- **Andrew Goodman** agoodman@andyglaw.com, Goodman.AndrewR102467@notify.bestcase.com
- **Jonathan Gottlieb** jdg@lnbyg.com
- **James Andrew Hinds** jhinds@hindslawgroup.com;mduran@hindslawgroup.com,
mduran@hindslawgroup.com
- **Robert B Kaplan** rbk@jmbm.com
- **Jane G Kearl** jkearl@watttieder.com
- **Jennifer Larkin Kneeland** jkneeland@watttieder.com, zabrams@watttieder.com
- **Michael S Kogan** mkogan@koganlawfirm.com
- **Noreen A Madoyan** Noreen.Madoyan@usdoj.gov
- **John A Moe** john.moe@dentons.com, glenda.spratt@dentons.com;derry.kalve@dentons.com
- **Samuel A Newman** sam.newman@sidley.com, samuel-newman-
2492@ecf.pacerpro.com;laefilingnotice@sidley.com
- **Ryan D O'Dea** rodea@shulmanbastian.com, lgauthier@shulmanbastian.com
- **Sharon Oh-Kubisch** sokubisch@swelawfirm.com,
gcruz@swelawfirm.com;lgarrett@swelawfirm.com;jchung@swelawfirm.com
- **Hamid R Rafatjoo** hrrafatjoo@raineslaw.com, bclark@raineslaw.com
- **Ronald N Richards** ron@ronaldrichards.com, 7206828420@filings.docketbird.com
- **Victor A Sahn** vsahn@sulmeyerlaw.com,
pdillamar@sulmeyerlaw.com;pdillamar@ecf.inforuptcy.com;vsahn@ecf.inforuptcy.com;cblair@sulmeyerlaw.co
m;cblair@ecf.inforuptcy.com
- **William Schumacher** wschumac@milbank.com, autodocketecf@milbank.com
- **David Seror** dseror@bg.law, ecf@bg.law
- **Zev Shechtman** zshechtman@DanningGill.com, danninggill@gmail.com;zshechtman@ecf.inforuptcy.com
- **Mark Shinderman** mshinderman@milbank.com, dmuhrez@milbank.com;dlbatie@milbank.com
- **Lindsey L Smith** lls@lnbyb.com, lls@ecf.inforuptcy.com
- **United States Trustee (LA)** ustpregion16.la.ecf@usdoj.gov
- **Genevieve G Weiner** gweiner@sidley.com, laefilingnotice@sidley.com;genevieve-weiner-
0813@ecf.pacerpro.com
- **Jessica Wellington** jwellington@bg.law, ecf@bg.law

2. SERVED BY UNITED STATES MAIL:

Creative Art Partners 6542 Hayes Drive Los Angeles, CA 90048	Branden Williams 257 N. Cannon Drive, 2 nd Floor Beverly Hills, CA 90210	C.G.S. Custom Glass Specialists c/o Tom Yang 4536 Ish Drive Simi Valley, CA 93063
Dennis Palma 146 Beach Way Monterey, CA 93940	Vesta aka Showroom Interiors, LLC c/o Julian Buckner 8905 Rex Road Pico Rivera, CA 90660	Centurion Air, LLC c/o Michael T Pyle 13932 Arrow Creek Road Draper, UT 84020
Made by TSI, Inc. 888 Biscayne Blvd, #209 Miami FL 33132	Italian Luxury Design 4 NE 39 Street Miami, FL 33137	West Valley Green Landscaping, Inc. 14761 Tupper Street Panorama City, CA 91402
LA DWP PO Box 30808 Los Angeles, CA 90030	KN Coating 201 E. Tamarack Ave Inglewood, CA 90301	West Coast Gates 339 Isis Avenue Inglewood, CA 90301
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Biabani & Associates, Inc. c/o Alex Biabani 1600 Sawtelle Blvd., #104 Los Angeles, CA 90025	Draken Security c/o Jaime Salanga 8225 Encino Ave Northridge, CA 91325	Employment Development Dept. Bankruptcy Group MIC 92E P.O. Box 826880 Sacramento, CA 94280-0001
Brunswick Corp. 26125 N. Riverwoods Blvd. Ste 500 Lake Forest, IL 60045	Carcassone Fine Homes, LLC c/o Hamid R. Rafatjoo 1800 Avenue of the Stars, 12th Fl. Los Angeles, CA 90067	Frontier Communications Corporation 401 Merritt 7 Norwalk, CT 06851
Jesus Agudelo aka Jesus Columbia 944 Airole Way Los Angeles, CA 90077	Mike Fields 2715 E 36th Ave Spokane, WA 99223	Plus Development Group 743 Seward St. Los Angeles, CA 90038
Pro-Pest, Inc. P.O. Box 3868 Valley Village, CA 91617	Public Occurrences, LLC 15821 Ventura Blvd. #265 Encino, CA 91436	Simone Giovanni Cenedese Murano s.a.s Calle Bertolini, 6 Murano Venezia
The Vertex Companies, Inc. 12100 Wilshire Blvd 8th floor Los Angeles, CA 90025	The Vertex Companies, Inc. 147 W. 35th St., 19th Fl. Long Island City, NY 11101	Toni Maier-On Location Inc. 8033 West Sunset Blvd. #569 Los Angeles, CA 90046

United Specialty Insurance Co. 1900 L Don Dodson Drive Bedford, TX 76021	Universal Television, LLC 100 Universal City Plaza Universal City, CA 91608	Yaly Martinez Arrazola 11804 Kiowa Avenue Apt 4 Los Angeles 90049
Franchise Tax Board Bankruptcy Section MS: A-340 P.O. Box 2952 Sacramento, CA 95812-2952	Internal Revenue Service PO Box 7346 Philadelphia, PA 19101-7346	Interno Investment, Inc. 4-95 Kandaher, Mont Tremblant Quebec Canada
LOS ANGELES COUNTY TREASURER AND TAX COLLECTOR ATTN BANKRUPTCY UNIT PO BOX 54110 LOS ANGELES CA 90054-0110	OFFICE OF FINANCE CITY OF LOS ANGELES 200 N SPRING ST., RM 101 CITY HALL LOS ANGELES CA 90012-3224	Securities & Exchange Commission 444 South Flower St., Suite 900 Los Angeles, CA 90071-2934
Alvandi Law Group, P.C. Gil Alvandi 2955 Main St. Suite 110 Irvine, CA 92614-2527	American Truck & Tool Rentals Inc. Tom Murray, CEO and President 88 W. Victoria St. Long Beach, CA 90805-2157	BMC West LLC 3250 N. San Fernando Rd. Los Angeles, CA 90065-1415
BMC West LLC David Filtman, CEO 4800 Falls of Neuse Rd., Ste. 400 Raleigh, NC 27609-8142	Buchalter, APC Jeffrey S. Wruble 1000 Wilshire Blvd., Suite 1500 Los Angeles, CA 90017-1730	Calgrove Rentals Inc. 21627 Roscoe Bl. Canoga Park, CA 91304-4159
Calgrove Rentals Inc. Guadalupe Gomez, President 456 Glenoaks Blvd. San Fernando, CA 91340-1833	Caprenos Inc. Cindee Wood Authorized Agent 4345 Murphy Canyon Road #200 San Diego, CA 92123-4362	City of Los Angeles Mike Feuer, City Attorney City Hall East, Suite 800 Los Angeles, CA 90012
Clerk of the Governing Board, Mount. Rec. & Cons. Auth. 5750 Ramirez Canyon Malibu, CA 90265-4474	Compass Aaron Kirman 9378 Wilshire Blvd. #200 Beverly Hills, CA 90212-3167	Conejo Recreation and Park District 403 W. Hillcrest Drive Thousand Oaks, CA 91360-4223
County of Los Angeles Local Fire Prevention Measure 4745 Mangels Blvd. Fairfield, CA 94534-4175	County of Los Angeles MRCA-Brush Fire Clear g Dist #1 200 North Main Street, 16th Fl Los Angeles, CA 90012-4110	County of Los Angeles Wildlife Corridor and Protection 4745 Mangels Blvd. Fairfield, CA 94534-4175
Daniel Wiesel, Esq. Wolf, Rifkin, Shapiro, et al. 11400 W. Olympic Blvd., 9th Fl. Los Angeles, CA 90064-1582	Department of Water and Power City of Los Angeles Attn: Bankruptcy P. O. Box 51111 Los Angeles, CA 90051-5700	Draken Private Security Jaime Salanga 633 West 5th St. Los Angeles, CA 90071-2005
Hilldun Corporation Jeffrey D. Kapelman, CEO 225 West 35th St. New York, NY 10001-1910	Hankey Capital, LLC Attn: Eugene M. Leydiker 4751 Wilshire Blvd. #110 Los Angeles, CA 90010-3838	Hilton & Hyland Real Estate 257 North Ca on Drive Beverly Hills, CA 90210-4361
Inferno Investment Inc. Julien Remillard, President 4-95 Kandahar, Mont Tremblant Quebec J8E 1E2 Canada	J&E Texture, Inc. Francisco Gonzalez, CEO 181 Exeter Way Corona, CA 92882-8502	JMS Air Conditioning and Appliance Services, Inc. 7640 Burnet Ave. Van Nuys, CA 91405-1005

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JOHN A. BELCHER 150 E. COLORADO BLVD., SUITE 215 PASADENA, CA 91105-3758	Jabs Pools and Spas, LLC 8055 Matilija Ave. Panorma City, CA 91402-6126	Jose Napoleon Garcia 1525 N. Detroit St., #5 Los Angeles, CA 90046-3233
Kennco Plumbing, Inc. Robert L. Kennedy, Jr., CEO 21366 Placerita Canyon Rd. Newhall, CA 91321-1846	Kennco Plumbing, Inc. Robert L. Kennedy, Jr., CEO 26575 Ruether Ave. Santa Clarita, CA 91350-2622	Dennis Palma 146 Beach Way Monterey, CA 93940-3436
Made by TSI, Inc. 1840 Jefferson Ave., Apt 303 Miami Beach, FL 33139-2461	Martin Aguirre 112 1/2 North 20th St. Montebello, CA 90640-4041	Martin Aguirre c/o Nathan D. McMurry 8050 N. Palm Ave. Ste. 300 Fresno, CA 93711-5510
Moises Lopez 141 S. Ave. 55 Apt. 40 Los Angeles, CA 90042-4635	Nile Niami c/o Hamid R. Rafatjoo 1800 Avenue of the Stars, 12th Fl. Los Angeles, CA 90067-4201	Parker Resnik Structural Engineering 1927 Pontius Ave Los Angeles, CA 90025-5611
Parquet by Dian Dima Efros, CEO 16601 S. Main Street Gardena, CA 90248-2722	Powertek Electric Inc. Mike Moshrefi, CEO 28364 S. Western Ave. # 414 Rancho Palos Verdes, CA 90275-1434	Centurion Air, LLC 13932 Arrow Creek Road Draper, UT 84020-9295
Public Insurance Agency Inc. 10941 W. Pico Bl. Los Angeles, CA 90064-2117	Rolls Scaffold, Inc. Michael Rolls, CEO 11351 County Dr. Ste B Ventura, CA 93004-3559	Santos Gerardina Garcia 509 Union Drive Apt. #206 Los Angeles, CA 90017-1526
SierraConstellation Partners LLC 355 S. Grand Avenue, Suite 1450 Los Angeles, CA 90071-3152	CALIFORNIA STATE BOARD OF EQUALIZATION ACCOUNT REFERENCE GROUP MIC 29 P O BOX 942879 SACRAMENTO CA 94279-0029	The Beverly Hills Estates, Inc. Branden Williams 8878 Sunset Blvd., West West Hollywood, CA 90069-2108
Vista Sotheby's Int'l. Realty Chris Adlam 16 Malaga Cove Plaza Palos Verdes Peninsula, CA 90274-1306	YOGI Securities Holdings, LLC Steve Oshins, Auth. Agent 1645 Village Center Cir., Ste. 170 Las Vegas, NV 89134-6371	Westside Estate Agency Kurt Rappaport 210 North Canon Dr. Beverly Hills, CA 90210-5302
Italian Luxury Group, LLC c/o Gregory J. Morrow, Esq. 10401 Wilshire Boulevard, Suite 1102 Los Angeles, CA 90024-4609	JMBM LLP Neil C. Erickson 1900 Avenue of the Stars, 7th Fl. Los Angeles, CA 90067-4308	Kazemi & Associates Constructors 11901 Santa Monica Blvd #800 Los Angeles, CA 90025-2767
Lanes Management Services Theodore Lanes 655 Deep Valley Drive 125-P Palos Verdes Peninsula, CA 90274-3615	Michael Pyle LLC dba Centurion LV 13932 Arrow Creek Rd. Draper, UT 84020-9295	Powertek Electric, Inc. Hart Kienle Pentecost 4 Hutton Centre Drive, Suite 900 Santa Ana, CA 92707

Yvonne Niami
301 Copa de Oro Road
Los Angeles, CA 90077-3822

Showroom Interiors LLC
8905 Rex Road
Pico Rivera, CA 90660-3799

Vesta aka Showroom Interiors, LLC
8905 Rex Road
Pico Rivera, CA 90660-3799

Westcoast Gate & Entry Systems, LLC
339 Isis Ave
Inglewood CA 90301-2007